

Motion granted. Plaintiffs are directed to inform the Court when they will be able to take the depositions. /s/Dan Aaron Polster 12/14/18

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION  
OPIATE LITIGATION

This document relates to:

All Cases

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**JOINT MOTION TO ALLOW CERTAIN INSYS-RELATED WITNESSES TO BE  
DEPOSED BEYOND JANUARY 25, 2019**

Due to the pending criminal action brought by the Department of Justice (“DOJ”) in United States District Court, District of Massachusetts, against certain former employees of Defendant Insys Therapeutics, Inc. (hereinafter “Insys”) (Case:1:16-cr-10343-ADB), Assistant United States Attorney K. Nathaniel Yeager has advised both counsel for Plaintiffs and counsel for Insys that the DOJ is concerned that taking depositions of certain Insys-related witnesses will substantially prejudice their case prior to the conclusion of the trial scheduled to start January 28, 2018. Furthermore, the DOJ has advised that they will move to stay such depositions should the parties attempt to proceed. As such, pursuant to the Court’s scheduling order CMO-1 (Dkt. 232), CMO-7 Setting New Deadlines for Track One Cases (Dkt. 876), and Federal Rule of Civil Procedure 16, Plaintiffs and Insys jointly move to allow the depositions of such witnesses to be taken following the adjudication of the DOJ’s criminal action.

1. The Court entered a modified scheduling order setting new deadlines for track one cases on August 13, 2018. See CMO-7 Setting New Deadlines For Track One Cases (ECF No. 876).